

REFERENCE TITLE: victim's rights; statement of rights

State of Arizona
House of Representatives
Forty-eighth Legislature
Second Regular Session
2008

HB 2687

Introduced by

Representatives Thrasher, Ableser, Lujan, Sinema, Ulmer, Young Wright:
Alvarez, Bradley, Brown, Burges, Cajero Bedford, Campbell CH, Campbell CL,
Chabin, Crandall, DeSimone, Farley, Gallardo, Garcia M, Hershberger,
Kavanagh, Lopes, Lopez, McGuire, Miranda B, Nelson, Pancrazi, Prezelski,
Rios P, Schapira, Tobin, Tom, Weiers JP

AN ACT

AMENDING SECTION 13-4438, ARIZONA REVISED STATUTES; RELATING TO VICTIM'S
RIGHTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 13-4438, Arizona Revised Statutes, is amended to
3 read:

4 **13-4438. Statement of rights**

5 In order to assure that any victim who comes before the court has been
6 advised of the victim's constitutional rights, THE FOLLOWING STATEMENT SHALL
7 BE POSTED IN BOTH ENGLISH AND SPANISH OUTSIDE OF EVERY COURT ROOM ENTRANCE
8 AND SHALL BE READ at the daily commencement of the regular criminal docket at
9 which accused persons are arraigned, appear for a status conference, make a
10 change of plea or are sentenced, ~~—~~. A judge of the superior court **AND LIMITED**
11 **JURISDICTION COURT JUDGES** shall make the following statement:

12 If you are the victim of a crime with a case pending
13 before this court, you are advised that you have rights to
14 justice and due process under Arizona law that, among others,
15 include the right to be treated with fairness, respect and
16 dignity, to a speedy trial and a prompt and final conclusion of
17 the case, to be present at court proceedings, to choose whether
18 or not to be interviewed by the defendant or the defendant's
19 attorney, to be heard before the court makes a decision on
20 release, negotiation of a plea, scheduling and sentencing and to
21 receive restitution from a person who is convicted of causing
22 your loss. If you have not already been provided with a written
23 statement of all victims' rights, please contact the victim
24 services division of the prosecutor's office.